

Notice of Allowability

Application No.

10/632,901

Examiner

Quoc D Tran

Applicant(s)

BAILEY, GEORGE R.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/4/2003.
2. ☒ The allowed claim(s) is/are 1-31.
3. ☒ The drawings filed on 07 November 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 8/4/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

QUOCTRAN
PRIMARY EXAMINER


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DETAILED ACTION

Allowable Subject Matter

1. Claims 1-31 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Applicant invention is drawn to a system and method for providing an application of a monitoring access to a Digital Subscriber Loop (DSL) circuit, so that the monitor access to the circuit is completed without disrupting the ongoing transmissions within the DSL circuit. A system for monitoring a communications circuit includes at least one impedance element connected to the communications circuit when the communications circuit is established. Communication devices communicating via the communications circuit adapt to the presence of the at least one impedance element. Each impedance element is switchably connected to a respective reference ground point. The system includes at least one monitor access element configured as a virtual reference ground point. Each impedance element is switchably disconnected from a respective monitor access element. The system includes at least one communications circuit monitor connected to the respective monitor access element. To monitor the communications circuit, the at least one impedance element is switchably connected to the respective monitor access element and switchably disconnected from the respective reference ground point. The communications circuit monitor is thereby connected to the communications circuit without disrupting data communication within the communications circuit.

Prior art of record failed to teach or fairly disclose the system and method for providing an application of a monitoring access to a Digital Subscriber Loop (DSL) circuit, so that the monitor access to the circuit is completed without disrupting the ongoing transmissions within

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the DSL circuit comprising: at least one impedance element, wherein the at least one impedance element is configured to be connected to the communications circuit when the communications circuit is established, and wherein the at least one impedance element causes communication devices communicating via the communications circuit to adapt to a presence of the at least one impedance element; at least one reference ground point, wherein each impedance element is configured to be switchably connected to a respective reference ground point; at least one monitor access element, wherein each impedance element is configured to be switchably disconnected from a respective monitor access element, and wherein each monitor access element is configured to be a virtual reference ground point; and at least one communications circuit monitor, wherein the at least one communications circuit monitor is configured to be connected to the respective monitor access element, and wherein to monitor the communications circuit, the at least one impedance element is configured to be switchably connected to the respective monitor access element and the at least one impedance element is configured to be switchably disconnected from the respective reference ground point, thereby connecting the at least one communications circuit monitor to the communications circuit with an absence of disruption to data communication within the communications circuit.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

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Facsimile responses should be faxed to:

(703) 872-9306

Hand-delivered responses should be brought to:

Crystal Park II, 2121 Crystal Drive

Arlington, VA., Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(703) 306-5643**. The examiner can normally be reached on Monday-Thursday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(703) 305-4708**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(703) 306-0377**.

QUOCTRAN
PRIMARY EXAMINER



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February 28, 2005